

STATE PUBLIC DEFENDER[493]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 13B.4(8), the State Public Defender hereby gives Notice of Intended Action to amend Chapter 7, “Definitions,” Chapter 11, “Attorney Fee Contracts,” and Chapter 12, “Claims for Indigent Defense Services,” Iowa Administrative Code.

These amendments clarify the rules regarding attorney fee contracts in appellate cases and fee limitations to bring the State Public Defender’s administrative rules into compliance with the Iowa Supreme Court’s decisions in State v. Dudley and Simmons v. State Public Defender.

Interested persons may make written comments or suggestions on the proposed amendments on or before January 21, 2011. Written materials should be addressed to the State Public Defender, Lucas State Office Building, Fourth Floor, 321 East 12th Street, Des Moines, Iowa 50319-0087; faxed to (515)281-7289; or E-mailed to msmith@spd.state.ia.us.

There will be a public hearing on January 21, 2011, at 9 a.m. in Conference Room 424, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the State Public Defender and advise of specific needs.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 9293B**. The content of that submission is incorporated by reference.

These amendments are intended to implement Iowa Code chapters 13B and 815.